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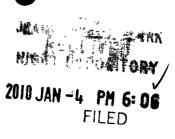
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YAVAPAI COUNTY ATTORNEY'S OFFICE JOSEPH C. BUTNER SBN 005229 DEPUTY COUNTY ATTORNEY 255 East Gurley Street Prescott, AZ 86301 Telephone: 928-771-3344 ycao@co.yavapai.az.us





IN THE SUPERIOR COURT OF STATE OF ARIZONA IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,	Cause No. P1300CR20081339
Plaintiff,	Division 6
v. STEVEN CARROLL DEMOCKER, Defendant.	STATE'S RESPONSE TO DEFENDANT'S MOTION IN LIMINE TO PRECLUCE PRIOR ACT EVIDENCE PURSUANT TO RULE 404(b)

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy undersigned, hereby submits its Response to Defendant's Motion *in Limine* to Preclude Prior Act Evidence Pursuant to Rule 404(b). The State respectfully requests the Court schedule a time where the admissibility of the following may be determined.

- 1. Defendant's extramarital affairs.
- 2. Defendant's sex addiction.
- 3. Defendant's computer searches related to killing and murder.
- 4. Defendant's false and misleading statements to the court in his divorce case.
- 5. Defendant's hiding of assets during the divorce proceedings in order to prevent the assets from being equally divided.
- 6. Defendant's plan to flee prior to his arrest.

Office of the Yavapai County Attorney 255 E. Gurley Street, Suite 300 Prescott, AZ 86301 Phone: (928) 771-3344 Facsimile: (928) 771-3110

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- 7. Defendant's use of human growth hormone.
- 8. Defendant's clients' dissatisfaction with his handling of their accounts.
- 9. Defendant's claim that he killed the neighbor's cat.
- 10. Defendant's dysfunctional childhood.
- 11. Defendant's attempt to influence witnesses.

Pursuant to *Ariz. R. Evid.*, Rule 404(b), "[e]xcept as provides in rule 404(c) evidence of other crimes, wrongs, or acts is not admissible to prove the character of a person in order to show action in conformity therein. It may, however, be admissible for other purposes, such as motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident." Therefore, the State requests that Court schedule a time where the admissibility of the above may be determined.

RESPECTFULLY SUBMITTED this ______ January, 2010.

Sheila Sullivan Polk

YAVAÇAI COUNTY ATTORNEY

Joseph C. Butner

Deputy County Attorney

COPIES of the foregoing delivered this 1 day of January, 2010 to: 2 Honorable Thomas J. Lindberg 3 Division 6 Yavapai County Superior Court 4 (via email) 5 John Sears 6 107 North Cortez Street, Suite 104 Prescott, AZ 86301 7 Attorney for Defendant (via email) 8 Larry Hammond 9 Anne Chapman 10 Osborn Maledon, P.A. 2929 North Central Ave, 21st Floor 11 Phoenix, AZ Attorney for Defendant 12 (via email) 13 By: Web Cowell 14 15 16 17 18 19 20 21 22 23 24

Office of the Yavapai County Attorney

255 E. Gurley Street, Suite 300

Prescott, AZ 86301

Phone: (928) 771-3344

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